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Of Attorneys for Defendants

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
EUGENE DIVISION

**STEPHANIE WOODCOOK**, Personal  
Representative for the Estate of Brian  
Babb, **LEE BABB, CONNOR BABB,**  
And **KAYLEE BABB,**

Plaintiffs,

vs.

**WILL STUTESMAN, OFFICER GROSE,**  
**OFFICER PIESKE, SGT. MCALPINE,**  
**CITY OF EUGENE**, a municipal subdivision  
of the State of Oregon, **JANE DOE CALL**  
**TAKER**, and John and Jane Does 1-10.

Defendants.

Case No. 6:17-cv-00424-TC

**Declaration of**  
Det. Dustin Sprague

I, Dustin Sprague, under penalty of perjury do hereby declare as follows:

I am over the age of 18 years, and I make this declaration based on my personal knowledge of the facts contained herein.

I am a detective with the Oregon State Police. Following the March 30, 2015, officer-involved shooting of Brian Babb, I responded to the scene as a member of the IDFIT criminal investigation team. I was tasked initially with processing and photographing the scene.

The attached exhibits are true and correct copies of photographs I took at the scene of the shooting.

Attached as Exhibit 118 is a true and correct copy of a close-up photograph I took of a bullet hole in the ceiling of the Babb residence. The bullet hole was located in the ceiling of the downstairs living room area.

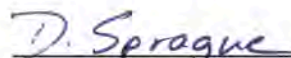
Attached as Exhibit 119 is a second photograph depicting the same bullet hole in the ceiling from a greater distance.

Attached as Exhibit 120 is a photograph of a spent shell casing from a 9mm handgun that was sitting on top of a laptop computer as depicted. The computer was located on a low table in Brian Babb's upstairs bedroom.

Attached as Exhibit 121 is a photograph of the gun safe in the downstairs living room of the Babb residence, with the door open. The door of the safe was open as depicted when I entered the residence to process the scene.

PURSUANT TO 28 U.S.C § 1746, I declare under penalty of perjury that the foregoing is true and correct.

DATED: September 24, 2018.

  
Det. Dustin Sprague

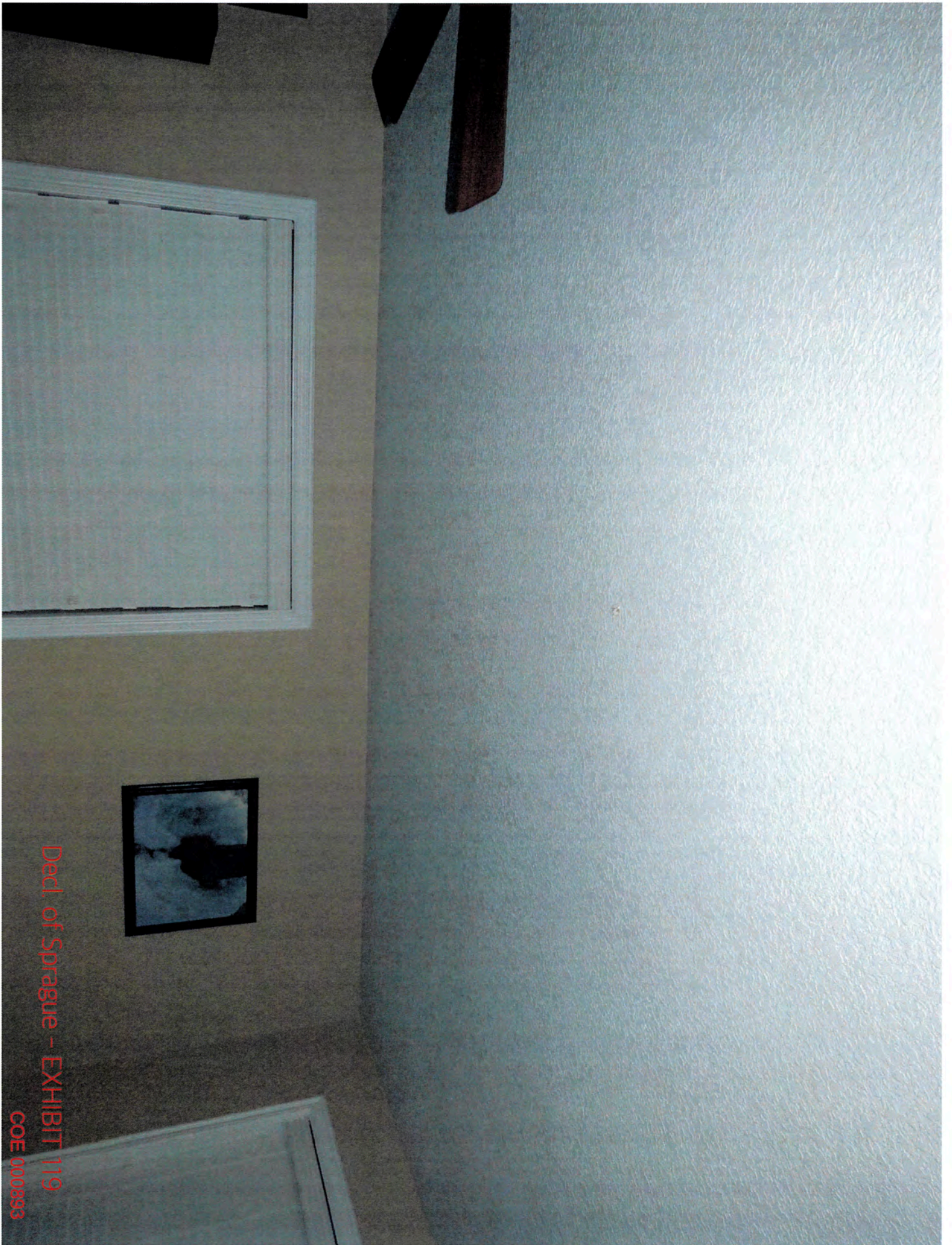




Decl. of Sprague - EXHIBIT 118

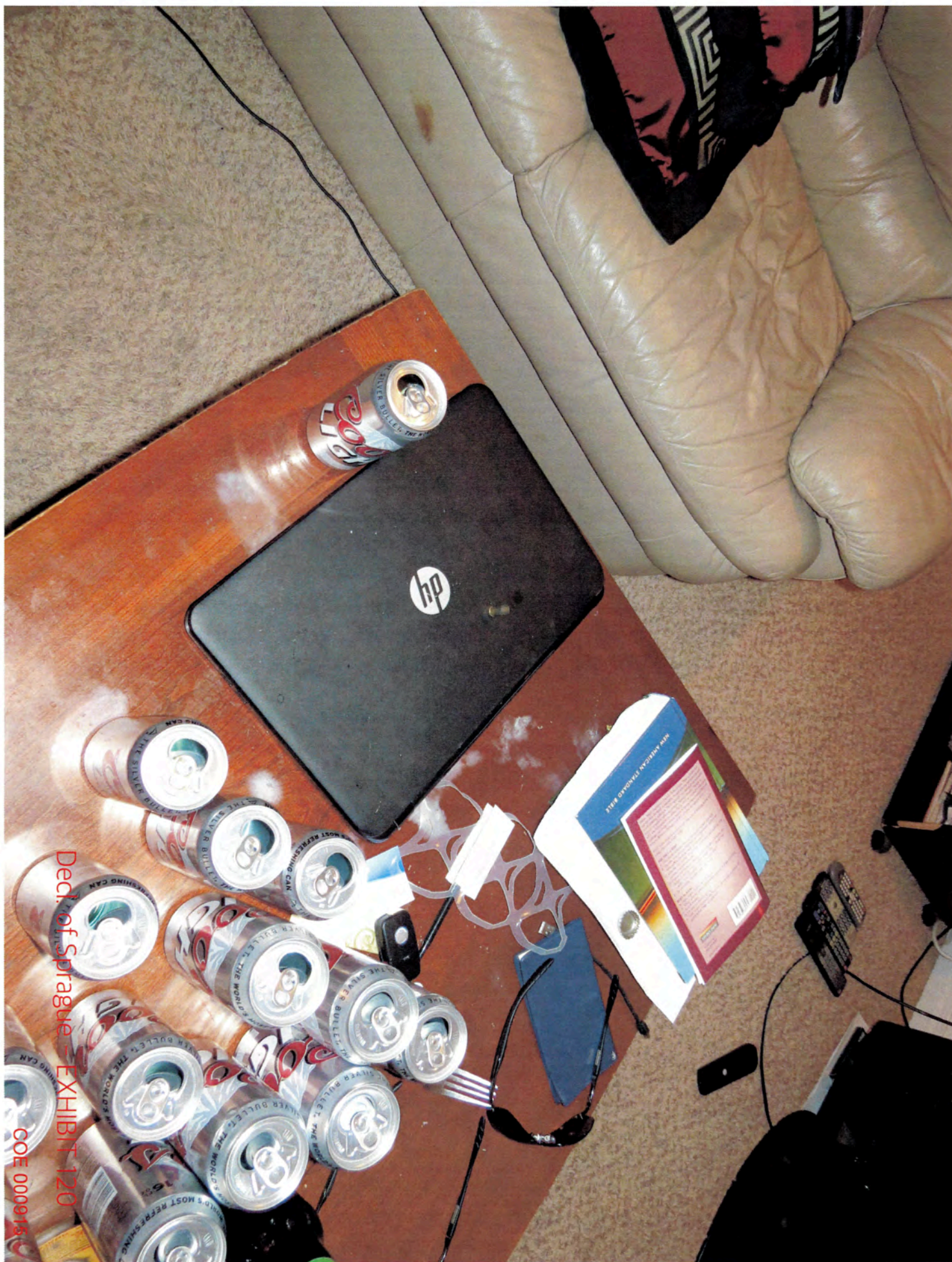
COE 0008394





Decl. of Sprague - EXHIBIT 119  
COE 000893





Decl. of Sprague - EXHIBIT 120

COE 000013





Decl. of Sprague - EXHIBIT 121

COE 000898



CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing DECLARATION OF DUSTIN SPRAGUE IN SUPPORT OF FRCP 56 MOTION FOR SUMMARY JUDGMENT BY DEFENDANTS STUTESMAN, GROSE, PIESKE, McALPINE, AND CITY OF EUGENE on Plaintiffs on Friday, September 28, 2018, by notice of electronic filing using the CM/ECF System:

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Dated: Friday, September 28, 2018.

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